

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER <b>280381US90PCT</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/563429</b>
INTERNATIONAL APPLICATION NO. <b>PCTJP05/08956</b>	INTERNATIONAL FILING DATE <b>17 MAY 2005</b>	PRIORITY DATE CLAIMED <b>21 MAY 2004</b>
TITLE OF INVENTION <b>THERMOSTAT DEVICE</b>		
APPLICANT(S) FOR DO/EO/US <b>Fujio INOUE</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Express Mail Label No.</li> </ol>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/563429</b>		INTERNATIONAL APPLICATION NO. <b>PCTJP05/08956</b>		ATTORNEY'S DOCKET NUMBER <b>280381US90PCT</b>																																																																																																																																	
<p>23. Other items or information:</p> <table border="0"> <tr> <td>Application Data Sheet</td> <td colspan="5">Request for Consideration of Documents Cited in International Search Report</td> </tr> <tr> <td>Notice of Priority</td> <td colspan="5"></td> </tr> <tr> <td>PCT/IB/304</td> <td colspan="5"></td> </tr> <tr> <td>Drawings (9 Sheets)</td> <td colspan="5"></td> </tr> </table>						Application Data Sheet	Request for Consideration of Documents Cited in International Search Report					Notice of Priority						PCT/IB/304						Drawings (9 Sheets)																																																																																																													
Application Data Sheet	Request for Consideration of Documents Cited in International Search Report																																																																																																																																				
Notice of Priority																																																																																																																																					
PCT/IB/304																																																																																																																																					
Drawings (9 Sheets)																																																																																																																																					
<p>The following fees have been submitted:</p> <p>24. <input checked="" type="checkbox"/> Basic national fee .....</p> <p>25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....</p> <p>All other situations. ....</p> <p>26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....</p> <p>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.....</p> <p>International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. ....</p> <p>All other situations. ....</p>				<table border="1"> <thead> <tr> <th colspan="2">CALCULATIONS</th> <th>PTO USE</th> </tr> </thead> <tbody> <tr> <td>\$300</td> <td>\$300.00</td> <td></td> </tr> <tr> <td>\$0</td> <td>\$200.00</td> <td></td> </tr> <tr> <td>\$200</td> <td></td> <td></td> </tr> <tr> <td>\$0</td> <td>\$400.00</td> <td></td> </tr> <tr> <td>\$400</td> <td></td> <td></td> </tr> <tr> <td>\$500</td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 24, 25 and 26 =</b></td> <td>\$900.00</td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.         </td> <td colspan="2"></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td colspan="2">Number of each additional 50 or fraction thereof (round up to a whole)</td> <td colspan="2">RATE</td> </tr> <tr> <td>- 100 =</td> <td>0</td> <td colspan="2">/50 = 0</td> <td colspan="2">x \$250.00</td> </tr> <tr> <td colspan="6">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td colspan="2">NUMBER FILED</td> <td>NUMBER EXTRA</td> <td colspan="2">RATE</td> </tr> <tr> <td>Total claims</td> <td colspan="2">7</td> <td>- 20 = 0</td> <td colspan="2">x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td colspan="2">1</td> <td>- 3 = 0</td> <td colspan="2">x \$200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/></td> <td colspan="2">+ \$360.00</td> </tr> <tr> <td colspan="5"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$900.00</td> </tr> <tr> <td colspan="5"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.         </td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL =</b></td> <td>\$900.00</td> </tr> <tr> <td colspan="5">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td>\$900.00</td> </tr> <tr> <td colspan="5">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property</td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$900.00</td> </tr> <tr> <td colspan="5" rowspan="2"></td> <td>Amount to be</td> </tr> <tr> <td>\$</td> </tr> <tr> <td colspan="5" rowspan="2"></td> <td>Amount to be</td> </tr> <tr> <td>\$</td> </tr> </tbody> </table>		CALCULATIONS		PTO USE	\$300	\$300.00		\$0	\$200.00		\$200			\$0	\$400.00		\$400			\$500			<b>TOTAL OF 24, 25 and 26 =</b>		\$900.00	<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE		- 100 =	0	/50 = 0		x \$250.00		Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).						CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE		Total claims	7		- 20 = 0	x \$50.00		Independent claims	1		- 3 = 0	x \$200.00		MULTIPLE DEPENDENT CLAIMS (if applicable)			<input type="checkbox"/>	+ \$360.00		<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$900.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$0.00	<b>SUBTOTAL =</b>					\$900.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$0.00	<b>TOTAL NATIONAL FEE =</b>					\$900.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property					\$0.00	<b>TOTAL FEES ENCLOSED =</b>					\$900.00						Amount to be	\$						Amount to be	\$
CALCULATIONS		PTO USE																																																																																																																																			
\$300	\$300.00																																																																																																																																				
\$0	\$200.00																																																																																																																																				
\$200																																																																																																																																					
\$0	\$400.00																																																																																																																																				
\$400																																																																																																																																					
\$500																																																																																																																																					
<b>TOTAL OF 24, 25 and 26 =</b>		\$900.00																																																																																																																																			
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																																																																																																																					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE																																																																																																																																	
- 100 =	0	/50 = 0		x \$250.00																																																																																																																																	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).																																																																																																																																					
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE																																																																																																																																	
Total claims	7		- 20 = 0	x \$50.00																																																																																																																																	
Independent claims	1		- 3 = 0	x \$200.00																																																																																																																																	
MULTIPLE DEPENDENT CLAIMS (if applicable)			<input type="checkbox"/>	+ \$360.00																																																																																																																																	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$900.00																																																																																																																																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$0.00																																																																																																																																
<b>SUBTOTAL =</b>					\$900.00																																																																																																																																
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$0.00																																																																																																																																
<b>TOTAL NATIONAL FEE =</b>					\$900.00																																																																																																																																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property					\$0.00																																																																																																																																
<b>TOTAL FEES ENCLOSED =</b>					\$900.00																																																																																																																																
					Amount to be																																																																																																																																
					\$																																																																																																																																
					Amount to be																																																																																																																																
					\$																																																																																																																																

10/563429

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number: 22850

SIGNATURE

Masayasu Mori

NAME

47,301

REGISTRATION NUMBER

Jan 5 2006

DATE

Surinder Sachar  
Registration No. 34,423

10/563429

IAP12 Rec'd PCT/PTO 05 JAN 2006

Docket No. 280381US90PCT

IN RE APPLICATION OF: Fujio INOUE

SERIAL NO: NEW U.S. PCT APPLICATION (based on PCT/JP05/08956)

FILED: HEREWITH

FOR: THERMOSTAT DEVICE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.

Additional documents filed herewith: English Translation of Specification/Declaration/Application Data Sheet  
Notice of Priority/Credit Card Payment Form for \$900.00/Drawings (9 Sheets)  
PCT Transmittal Letter/Preliminary Amendment/PCT/IB/304  
International Search Report/Request for Consideration

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	7	MINUS	20	0	x \$50 =	\$0.00
INDEPENDENT	1	MINUS	3	0	x \$200 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS					+ \$360 =	\$0.00
TOTAL OF ABOVE CALCULATIONS						\$0.00
<input type="checkbox"/> Reduction by 50% for filing by Small Entity						\$0.00
<input type="checkbox"/> Recordation of Assignment					+ \$40 =	\$0.00
					TOTAL	\$0.00

A check in the amount of \$0.00 is attached.

Credit card payment form is attached to cover the fees in the amount of \$0.00

Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.
  
 Masayasu Mori  
 Registration No. 47,301

Customer Number

22850

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)Surinder Sachar  
Registration No. 34,423

DOCKET NO.: 280381US90PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Fujio INOUE  
SERIAL NO.: NEW U.S. PCT APPLICATION  
FILED: HEREWITH  
INTERNATIONAL APPLICATION NO.: PCT/JP05/08956  
INTERNATIONAL FILING DATE: May 17, 2005  
FOR: THERMOSTAT DEVICE

**REQUEST FOR CONSIDERATION OF DOCUMENTS  
CITED IN INTERNATIONAL SEARCH REPORT**

Commissioner for Patents  
Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Masayasu Mori  
Attorney of Record  
Registration No. 47,301  
Surinder Sachar  
Registration No. 34,423

Customer Number  
**22850**

(703) 413-3000  
Fax No. (703) 413-2220  
(OSMMN 08/03)